

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

GENENTECH, INC.,

Plaintiff,

v.

GLAXOSMITHKLINE LLC,

Defendant.

Case No.: 5:10-CV-04255 EJD

**ORDER CONTINUING STAY AND
DENYING PENDING MOTION
WITHOUT PREJUDICE**

(Re: Docket No. 29)

On December 1, 2010, Judge Fogel ordered that this action would be stayed pending a decision in the District of Delaware on Plaintiff Genentech, Inc.'s ("Genentech") motion to transfer. On April 25, 2011, this action was transferred to the undersigned. On August 23, 2011, the court ordered the parties to file a Joint Status Statement. On September 2, 2011, the parties filed a Joint Case Management Conference Statement. Having considered the statement,

IT IS HEREBY ORDERED that the stay is continued pending a decision in the District of Delaware on Genentech's motion to transfer.

IT IS FURTHER ORDERED that because the case is stayed and the court must maintain its docket, Genentech's pending motion for summary judgment is denied without prejudice to the

1 motion being renewed when the stay is removed.

2 Dated: Ugr vgo dgt "52."4233

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4 EDWARD J. DAVILA
5 United States District Judge
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United States District Court
For the Northern District of California